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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/843,382	04/25/2001	Gebre Admasu	NAV-10102/22	8873

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Ellen S. Cogen
Gifford, Krass, Grob, Sprinkle,
Anderson & Citkowski, P.C.
280 N. Old Woodward Ave., Suite 400
Birmingham, MI 48009

EXAMINER

ROBINSON BOYCE, AKIBA K

ART UNIT	PAPER NUMBER
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3639

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/843,382	Applicant(s) ADMASU ET AL.	
	Examiner Akiba K. Robinson-Boyce	Art Unit 3639	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>092801</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. Due to communications filed 4/25/01, the following is a non-final first office action. Claims 1-21 are pending in this application and have been examined on the merits. Claims 1-21 are rejected as follows.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claims 1, 20 and 21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claim 1, the preamble discloses "A digital payment system". However, the body of the claim makes no mention of a payment transaction taking place, thereby making the claim indefinite. Correction is required.

As per claim 20, the preamble discloses "A digital payment and enforcement system". However, the body of the claim makes no mention of a payment transaction taking place, thereby making the claim indefinite. Correction is required.

As per claim 21, the preamble discloses "A method for payment and enforcement of parking services". However, the body of the claim makes no mention of a payment transaction taking place, thereby making the claim indefinite. Correction is required.

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The terms "the wireless transceiver" in claims 20, and "the communication network" in claim 21 are relative terms that render the claims indefinite. The terms "the wireless transceiver", and "the communication network" are not defined by the claims, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. Because the terms "the wireless transceiver", and "the communication network" are used, both claims, and therefore, the scope of the invention unclear.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 2, 4, 5, 7, 10, 14 and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Teicher (US 6,076,075).

As per claims 1, 21, Teicher discloses:

A motorist interface/providing a motorist interface accessible to the communications network, (Col. 13, line 66-Col. 14, line 2, shown that electronic wallet received at card interface, Col. 8, lines 55-63, shows online communications),

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A remote parking authorization interface/providing a remote parking authorization interface having account data and meter data, the remote parking authorization interface interaction with the motorist interface via the communication network, (Col. 10, lines 43-48, remote account interface handles secured communication with financial institutions respective to accounts identified by the **register**, where Col. 9, lines 30-38, shows electronic wallet makes an authorized transaction with a bank account, in this case, the meter data being incorporated by the remote parking authorization interface in inherent since the **register** contains information identifying and authorizing transactions, where the transaction is a metered parking transaction as shown in col. 13, lines 25-28);

An enforcement interface/providing an enforcement interface, the enforcement interface communicating with the remote parking authorization interface via the communication network, (Col. 14, lines 40-49, payment unit).

As per claim 2, Teicher discloses:

Wherein the communication network further comprises a wireless network, (col. 10, lines 17-26, wireless communications link).

As per claim 4, Teicher discloses:

Further comprising a meter interface interacting with the motorist interface, the remote parking authorization interface, and the enforcement interface, (col. 13, lines 22-33, shows customer gains free access to parking meter, w/ col. 14, lines 40-43, where the POS interface represents the meter interface since the transaction is a metered

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parking transaction as shown in col. 13, lines 25-28 and the transaction is shown to occur at a POS).

As per claim 5, Teicher discloses:

Wherein the remote parking authorization interface further comprises a plurality of accounts, (col. 10, line 46, shows "accounts" in plural form).

As per claim 7, Teicher discloses:

Wherein the remote parking authorization interface further comprises a repository for storing the accounts, (col. 22, lines 26-39, shows electronic cache check stored in electronic safe respective to account ID).

As per claim 10, Teicher discloses:

Wherein the remote parking authorization system further comprises historical and statistical information, (col. 18, line 64-Col. 19, line 5, shows the incorporation of statistical information, in this case, the historical is inherent since statistical information is derived from historical information).

As per claim 14, Teicher discloses:

Wherein the motorist interface further comprises a visual display component, (Col. 10, lines 28-30, display).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Teicher (US 6,076,075).

As per claim 11, Teicher does not specifically disclose:

Wherein the remote parking authorization system further comprises a suite of accounting programs, but does disclose an accounting unit that performs several money transformations in Col. 11, lines 13-18.

Official notice is taken that it is old and well known in the computer art to have suite of accounting programs. It would have therefore been obvious to one of ordinary skill in the art to have a suite of accounting programs with the motivation of enabling the accounting unit to be able to perform accounting transactions such as money transformations.

8. Claims 3, 17-19, 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teicher (US 6,076,075) as applied to claim 1 above, and further in view of Lemelson et al (US 4,356,903).

As per claims 3, 17-19, Teicher does not disclose wherein the communications network further comprises short-wave connectivity technology, but does disclose transactions through a communication network in Col. 8, lines 55-63.

However, Lemelson et al discloses:

wherein the communications network further comprises short-wave connectivity technology, wherein the motorist interface/the enforcement interface/the meter interface further comprises a short-wave transceiver, (Abstract, 2nd column, lines 15-28, shows implementation of short wave technology through code). Lemelson et al discloses this

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limitation in an analogous art for the purpose of showing that a short wave code is used to sense that a vehicle is located at a parking meter.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for a communications network to comprise short-wave connectivity with the motivation of producing a signal for indicating a meter transaction.

As per claim 20, Teicher discloses:

A motorist interface...accessible to the wireless network, (Col. 13, line 66-Col. 14, line 2, shown that electronic wallet received at card interface, Col. 8, lines 55-63, shows online communications);

A remote parking authorization interface having account data, meter data...the remote parking authorization interface interacting with the motorist interface via the wireless network, (Col. 10, lines 43-48, remote account interface handles secured communication with financial institutions respective to accounts identified by the **register**, where Col. 9, lines 30-38, shows electronic wallet makes an authorized transaction with a bank account, in this case, the meter data being incorporated by the remote parking authorization interface in inherent since the **register** contains information identifying and authorizing transactions, where the transaction is a metered parking transaction as shown in col. 13, lines 25-28);

An enforcement interface..., the enforcement interface communicating with the remote parking authorization interface via the wireless transceiver, (Col. 14, lines 40-49, payment unit).

A plurality of meter interfaces...each meter interface in the plurality of meter interfaces communicating with the remote parking authorization interface, the motorist interface, and the enforcement interface, (col. 13, lines 22-33, shows customer gains free access to parking meter, w/ col. 14, lines 40-43, where the POS interface represents the meter interface since the transaction is a metered parking transaction as shown in col. 13, lines 25-28 and the transaction is shown to occur at a POS).

Teicher fails to disclose a short-wave transceiver, but does disclose transactions through a communication network in Col. 8, lines 55-63.

However, Lemelson et al discloses a short wave transceiver, (Abstract, 2nd column, lines 15-28, shows implementation of short wave technology through code). Lemelson et al discloses this limitation in an analogous art for the purpose of showing that a short wave code is used to sense that a vehicle is located at a parking meter.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to implement a short-wave transceiver with the motivation of producing a signal for indicating a meter transaction.

9. Claim 6, 8, 9, 12, 13, 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teicher (US 6,076,075) as applied to claim 1 above, and further in view of Ouimet et al (US 6,823,317).

As per claim 6, Teicher does not disclose the following, however the following is obvious with Teicher since Teicher discloses credit card transactions in col. 2, lines 42-48, and in credit card transactions, all of the following is acquired before or during the transaction:

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wherein each account in the plurality of accounts further comprises a unique account identifier, a motorist name...contact information for motorist device, funding information, and balance.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for each account to comprise a unique account identifier, a motorist name...contact information for motorist device, funding information, and balance with the motivation of keeping track of parking transactions with specific accounts.

Teicher does not disclose number of vehicles or license numbers of vehicles, but does disclose parking transactions in col. 13, lines 22-33.

However, Ouimet et al discloses:

number of vehicles or license numbers of vehicles, (col. 4, lines 43-48, smart cards are programmed with license plate data, in this case the number of vehicles are obvious since each license plate represents the presence of a vehicle, therefore, each license plate programmed gives a vehicle count).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to incorporate the number of vehicles or license numbers of vehicles with the motivation of keeping track of vehicles involved in a transaction.

As per claim 8, Teicher does not disclose wherein the remote parking authorization interface further comprises a plurality of parking space identifiers, but does disclose parking transactions in col. 13, lines 22-33.

However, Ouimet et al discloses:

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wherein the remote parking authorization interface further comprises a plurality of parking space identifiers, Abstract, lines 6-7, parking space identifier). Ouimet et al discloses this limitation in an analogous art for the purpose of acquiring parking data for a parking payment transaction.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to incorporate a plurality of parking space identifiers with the motivation of tracking vehicles that park in the identified parking spaces.

As per claim 9, Teicher discloses:

Wherein the remote parking authorization interface further comprises time unit information pertinent to a particular parking space identifier, (col. 13, lines 28-30, parking time).

As per claim 12, Teicher does not disclose wherein the motorist interface further comprises a transmitter, but does disclose parking transactions in col. 13, lines 22-33.

However, Ouimet et al discloses:

wherein the motorist interface further comprises a transmitter, (col. 2, lines 21-22, wireless transmitter). Ouimet et al discloses this limitation in an analogous art for the purpose of showing that wireless transmitters are used to handle data related to parking payments.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to incorporate a transmitter with the motivation of transmitting information related to a parking transaction.

As per claim 13, Teicher does not disclose wherein the motorist interface further comprises a receiver, but does disclose parking transactions in col. 13, lines 22-33.

However, Ouimet et al discloses:

wherein the motorist interface further comprises a receiver, (abstract, lines 12-15, shows wireless receipt). Ouimet et al discloses this limitation in an analogous art for the purpose of showing that wireless receivers are used to handle data related to parking payments.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to incorporate a receiver with the motivation of receiving information related to a parking transaction.

As per claim 15, Teicher does not disclose wherein the motorist interface further comprises one or more computer programs, but does disclose parking transactions in col. 13, lines 22-33.

However, Ouimet et al discloses:

wherein the motorist interface further comprises one or more computer programs, (col. 3, lines 24-26, shows a network of computers [that contain computer programs]). Ouimet et al discloses this limitation in an analogous art for the purpose of showing that computers [which comprise computer programs] are used to handle data related to parking payments.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to incorporate computer programs with the motivation of processing information related to a parking transaction.

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10. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Teicher (US 6,076,075) as applied to claim 1 above, and further in view of Renner et al (US 6,223,984)

As per claim 16, Teicher does not disclose wherein the motorist interface further comprises an intelligent card, but does disclose credit card transactions in 2, lines 42-49.

However, Renner et al discloses:

wherein the motorist interface further comprises an intelligent card, (col. 1, lines 27-31, shows the utilization of a smart card reader for activating a parking garage gate, w/ col. 2, lines 49-56, shows that card reader is an intelligent card reader). Renner et al discloses this limitation in an analogous art for the purpose of utilizing an intelligent card to complete a parking transaction.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to incorporate an intelligent card into the motorist interface with the motivation of having a transaction with a card easily started for a motorist.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is 571-272-6734. The examiner can normally be reached on Monday-Tuesday 8:30am-5pm, and Wednesday, 8:30 am-12:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone numbers for

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the organization where this application or proceeding is assigned are 703-746-7238

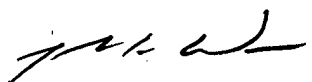
[After final communications, labeled "Box AF"], 703-746-7239 [Official Communications],

and 703-746-7150 [Informal/Draft Communications, labeled "PROPOSED" or "DRAFT"].

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



A. R. B.
June 23, 2005



JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3330